

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	<b>CRIMINAL NO. 1:09-CR-219</b>
	:	
v.	:	(Chief Judge Kane)
	:	
	:	(Magistrate Judge Smyser)
JOSE A. RODRIGUEZ	:	

**REPORT AND RECOMMENDATION**

The defendant appeared before me on May 18, 2010 and entered a plea of guilty to a two count Superseding Information. The court conducted a full colloquy with the defendant and has determined the following:

1. The evidence is adequate to support a conviction.
2. The defendant understands his rights.
3. He knowingly and voluntarily waives his right to trial and pleads guilty.
4. No threats were made. The plea agreement contains the only promises made.
5. The defendant understands the proceedings.

On the basis of the foregoing, it is recommended that the court enter an Order adjudging the defendant guilty of the offenses. By a separate Order, a presentence investigation was ordered with disclosure of the presentence report to the parties on or before July 12, 2010.

**/s/ J. Andrew Smyser**

J. Andrew Smyser  
Magistrate Judge

Dated: May 21, 2010.